



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,861	06/28/2001	Anthony F. Istvan	DIGE12366	5363

47053 7590 09/09/2005

CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/895,861	Applicant(s) ISTVAN ET AL.	
	Examiner Reuben M. Brown	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11, 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/22/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2611

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see arguments, filed 3/21/05, with respect to independent claims & 11 have been fully considered and are persuasive. The rejection of 12/17/04 has been withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 & 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams, (U.S. Pat # 6,202,211).

Considering claims 1 & 11, the claimed system for viewing multimedia content, the system comprising;

Art Unit: 2611

‘a communication network’, and ‘a content & a broadcast center coupled to the communication network’, reads on the disclosure in Williams that a local network of set-top box 22, is connected to a CATV headend via a server 20; Fig. 5; col. 7, lines 1-12. The CATV headend meets the claimed ‘broadcast center’ and is inherently connected to a plurality of ‘content sources’. Furthermore the CATV distribution system in Williams reads on the claimed ‘communication network’.

‘a plurality of client systems coupled to the broadcast center, wherein the plurality of client systems is associated with a household, and are logical extensions of each other’, is met by the local area network discussed in Williams, which teaches that multiple set top box 22, are connected to a server 20, within a single customer premise, Fig. 2; Fig. 4; col. 3, lines 20-50; col. 4, lines 22-67.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3-11 & 13-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ellis, (WO 00/04707).

Considering claims 1, the claimed system for viewing multimedia content, the system comprising;

‘a communication network’, and ‘a content & a broadcast center coupled to the communication network’, reads on the disclosure in Ellis that a local network of user equipment (set top boxes 60-68 & 81-83), is connected to a CATV headend via a server 80; Fig. 5; page 18, lines 5-22. The CATV headend meets the claimed ‘broadcast center’ and is inherently connected to a plurality of ‘content sources’. Furthermore the CATV distribution system in Ellis reads on the claimed ‘communication network’.

‘a plurality of client systems coupled to the broadcast center, wherein the plurality of client systems is associated with a household, and are logical extensions of each other’, is met by the local area network discussed in Ellis, which teaches that multiple set top box 60-68, are connected to a server 80, within a single customer premise 65, Fig. 5 & 6. Ellis also teaches that the user TV devices are enabled to communicate with each other; page 20, lines 1-5.

Considering claims 3 & 13, the claimed ‘plurality of objects associated with a plurality of client systems’, is met by the disclosure in Ellis of the EPG that enables a parent to name and associate characteristics to each of the rooms in a household, see pages 24-26.

Art Unit: 2611

Considering claims 4 & 14, the claimed feature of the 'system being configured to be selectively accessed by a user to change a configuration of a user object, such that the system is configured to provide the change to all of the client systems without further activity from the user', is met by the disclosure of Ellis of the parent changing the settings on the STB's in the household, page 25-26 & Fig. 13-15. 'Selectively', reads on requiring a password, as taught in Ellis.

Considering claims 6 & 16, the claimed feature of the 'a user object of the plurality of user objects can be concurrently active in more than one client system', also reads on the centralized control of the plurality of client systems, as taught by Ellis, page 24, lines 7-25.

Considering claims 7 & 17, the claimed 'anonymous user object, such that the anonymous user object is configured to be accessible to all users', is met by the interactive EPG 173, for instance shown in Fig. 12, which can be accessed by all the users, see page 23, lines 29-35 thru page 24, lines 1-6; page 27, lines 1-7.

Considering claims 8 & 18, the claimed feature of the 'server operatively coupled to the access means, and configured to include information related to each user object', is met by the discussion in Ellis, that using the master device, the primary use may adjust the controls and settings for all of the other devices, see page 24, lines 8-35 thru page 25, lines 1-34.

Art Unit: 2611

In particular, both primary user equipment 60 and the server 80, read on the claimed server, (Figs. 3-5 & Fig. 7a; page 16, lines 17-35; page 18, lines 5-22; page 19, lines 17-35). The claimed feature of 'including information related to each user of the plurality of user objects', reads on the master device controlling all of the other devices.

Considering claims 9 & 19, the claimed 'revision history, which includes configuration changes of the plurality of objects', reads on the disclosure in Ellis of adjustments made to the screen settings of each of the set top boxes, page 5 & page 32, lines 1-10.

Considering claims 10 & 20, the claimed 'ticket number associated with each configuration change', is broad enough to read on the disclosure of Ellis, that a unique number may be provided by the program guide, so that the user may access the guide settings from remote locations, page 26, lines 25-30. The user's guide settings are revised based upon the user's adjustments.

Considering claim 11, the claimed system for viewing multimedia, the system comprising:

'source means for providing multimedia content and distribution means for distributing multimedia content from the source', is met by the sources of video programming and the TV distribution facility 38, page 12, lines 1-35.

Art Unit: 2611

‘network means for supporting communication between the source and distribution means’, is inherent in Ellis.

‘plurality of access means, coupled to the distribution means, for selectively providing access to the multimedia content, such that the plurality of access means is associated with a household and are logical extensions of each other’, is met by the plurality of set top boxes 60-70 & 81-83, (Fig. 3-5; Fig. 7; page 16-19).

Considering newly added claim 21, the claimed method for viewing content delivered to a client system, comprising:

‘associating a plurality of client systems with a household and organizing the plurality of client systems into logical extensions of each other’, is met by the disclosure of Ellis, (Fig. 3-5; Fig. 7; page 16-19).

‘delivering content from a content source via a communication network to at least one of plurality of clients systems’, is met by the disclosure of Ellis, page 12, lines 5-25.

Considering claim 22, the claimed feature of ‘associating a plurality of user objects with the household, such that each user object contains information related to a user in the household’, is broad enough to read on the discussion in Ellis of user-defined device names, such as ‘parents room’, ‘children’s room’, etc. see page 25, 5-34.

‘providing the plurality of user objects to all of the plurality of client systems’, is broad enough to read on each user equipment or set top box displaying an EPG, see pages 24-25 & Fig. 10-13.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Hiyoshi Teaches a parent controlling the programming on a child's TV screen.

Art Unit: 2611

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:


(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown


REUBEN M. BROWN
PATENT EXAMINER